

twenty days thereafter; and the sheriff, on receipt of the warrant, shall summon the freeholders accordingly, and when met shall draw seven of them, who shall, after being duly sworn, impartially value the land in question, and consider the damages the owner thereof may sustain; and the freeholders shall consider the advantages the proprietor of the land will derive from the road, as well as the injury he will sustain; and the inquisition so taken shall be signed by the jury, and countersigned by the sheriff, and returned to the clerk of the county court to be recorded; and in all cases the jury is hereby directed to describe the land valued, and such valuation shall be conclusive, and the said directors shall pay the same to the owners of the land valued or his legal representatives, and if neither can be found in this State, or if they refuse to receive the money, then to the clerk of the county court; and on payment thereof, the said corporation shall be seized in fee of the land.

Toll demanded. SEC. 10. *Be it further enacted*, That it shall be lawful for the said board of directors to demand and receive, at some convenient toll gates to be by them erected, a reasonable toll from persons using said road.

Width of road. SEC. 11. *Be it further enacted*, That the road hereby authorized to be made shall not be less than eight, nor more than sixty feet wide; and if any person shall refuse to pay the toll, at the time of offering to pass the place for its collection, and previously to passing the same, the toll-gatherer shall refuse a passage to persons so refusing; and if any person shall pass or drive through, or pass or drive around said

Refusal to pay toll.

Penalty.

place any wheeled carriage or animal liable to toll, without paying the same, he shall be liable to a penalty of five dollars, to be recovered to the use of the company by warrant before any justice of the peace of the county wherein such toll gates or points of collection are situated; and if any person or persons shall drive on or use any part of said road between the points for the collection of tolls, without paying the amount for which he or they may be liable, it shall be held that he is fraudulently using the same, and he shall be liable to pay a fine of five dollars, which may be recovered by warrant as heretofore provided: *Provided*, That if the person so offending as in this section mentioned, shall be a slave, he shall receive such punishment, by whipping not exceeding twenty lashes, as shall be adjudged by any justice of the peace, under a warrant to be issued in the name of said company against such slave.

Proviso as to slaves, &c.

Damage to road.

SEC. 12. *Be it further enacted*, That if any person shall wilfully or maliciously injure, or in any manner hurt, damage or obstruct, or shall wilfully or maliciously cause, or aid or assist, or counsel or advise any other person to injure or obstruct the said road, toll gates or toll houses, such persons